

CS FOR SENATE BILL NO. 3006(L&C)

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-SECOND LEGISLATURE - THIRD SPECIAL SESSION

BY THE SENATE LABOR AND COMMERCE COMMITTEE

Offered: 9/9/21

Referred: Today's Calendar

Sponsor(s): SENATE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to utilization review requirements; making temporary changes to state**
2 **law in response to the novel coronavirus disease; relating to telemedicine and telehealth;**
3 **relating to background checks; and providing for an effective date."**

4 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

5 *** Section 1.** The uncodified law of the State of Alaska is amended by adding a new section
6 to read:

7 PURPOSE. The purpose of this Act is to provide for mitigation measures that enhance
8 the state's ongoing efforts to reduce the spread of the novel coronavirus disease (COVID-19).

9 *** Sec. 2.** AS 21.06.080 is amended by adding a new subsection to read:

10 (f) During a recognized federal or state public health disaster or emergency,
11 the director may order health care insurers to waive utilization review requirements,
12 including preauthorization requirements for medical services, concurrent review for
13 inpatient hospital services, retrospective review of inpatient and outpatient services,
14 emergency services and payment of claims, and requirements for placements of policy

holders in postacute facilities. In this subsection, "utilization review" has the meaning given in AS 21.07.250.

* **Sec. 3.** The uncodified law of the State of Alaska is amended by adding a new section to read:

TELEMEDICINE AND TELEHEALTH. (a) Notwithstanding any other provision of law, the provisions of AS 08.64.170 and AS 08.68.160 do not apply to a health care provider that is providing treatment, rendering a diagnosis, or prescribing, dispensing, or administering a prescription, excluding a controlled substance listed in AS 11.71.140 - 11.71.190, through telehealth as defined in AS 47.05.270(e), without first conducting an in-person physical examination, if

(1) the health care provider is licensed, permitted, or certified to provide health care services in another jurisdiction and is in good standing in the jurisdiction that issued the license, permit, or certification;

(2) the health care services provided without an in-person physical examination are within the health care provider's authorized scope of practice in the jurisdiction that issued the health care provider's license, permit, or certification;

(3) in the event that the health care provider determines that the encounter will extend beyond the scope of practice or scope of services described in this section, the health care provider advises the patient that the health care provider is not authorized to provide the services to the patient, recommends that the patient contact a health care provider licensed in the state, and terminates the encounter.

(b) The amount charged by a health care provider for services provided under this section must be reasonable and consistent with the ordinary fees typically charged for that service and may not be more than the ordinary fees typically charged for that service. A health care provider that is required to terminate an encounter under (a)(3) of this section may not charge for any services provided during the encounter.

(c) In this section, "health care provider" has the meaning given in AS 18.15.395 and includes a person that provides behavioral health care services.

* **Sec. 4.** The uncodified law of the State of Alaska is amended by adding a new section to read:

BACKGROUND CHECKS; APPLICABILITY. Notwithstanding any other provision

1 of law, a hospital or nursing facility may employ a person without obtaining a background
2 check from the Department of Health and Social Services if the hospital or nursing facility

3 (1) provides sufficient information to the Department of Health and Social
4 Services attesting to the hiring process for each person employed at the facility and confirms
5 that a background check has been conducted as part of the hiring process; and

6 (2) not later than July 1, 2022, obtains a background check from the
7 Department of Health and Social Services for each person hired by the hospital or nursing
8 facility between the effective date of this Act and July 1, 2022.

9 * **Sec. 5.** Sections 3 and 4 of this Act are repealed July 1, 2022.

10 * **Sec. 6.** This Act takes effect immediately under AS 01.10.070(c).